

shall terminate five years after the date of the enactment of this Act.

(j) DEFINITIONS.—In this section:

(1) ACCIDENT.—The term “accident” means a collision, rollover, or other mishap involving a motor vehicle.

(2) CONGRESSIONAL DEFENSE COMMITTEES.—The term “congressional defense committees” has the meaning given that term in section 101(a)(16) of title 10, United States Code.

(3) DATA RECORDER.—The term “data recorder” means technologies installed in a motor vehicle to record driver identification, telemetry data, and event data related to the operation of the motor vehicle.

(4) DRIVER IDENTIFICATION.—The term “driver identification” means data enabling the unique identification of the driver operating a motor vehicle.

(5) EVENT DATA.—The term “event data” includes data related to—

(A) the start and conclusion of each vehicle operation;

(B) a vehicle accident;

(C) a vehicle acceleration, velocity, or location with an increased potential for an accident; or

(D) a vehicle orientation with an increased potential for an accident.

(6) SECRETARY CONCERNED.—The term “Secretary concerned” means—

(A) the Secretary of the Army with respect to matters concerning the Army; and

(B) the Secretary of the Navy with respect to matters concerning the Navy and Marine Corps.

(7) TELEMETRY DATA.—The term “telemetry data” includes—

(A) time;

(B) vehicle distance traveled;

(C) vehicle acceleration and velocity;

(D) vehicle orientation, including roll, pitch, and yaw; and

(E) vehicle location in a geographic coordinate system, including elevation.

SA 4385. Mr. VAN HOLLEN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. 12. CONSIDERATION OF HUMAN RIGHTS RECORDS OF RECIPIENTS OF SUPPORT OF SPECIAL OPERATIONS TO COMBAT TERRORISM.

Section 127e of title 10, United States Code, is amended—

(1) in subsection (c)(2) by adding at the end of the following new subparagraph—

“(D) The processes through which the Secretary shall, in consultation with the Secretary of State, ensure that prior to a decision to provide any support to foreign forces, irregular forces, groups, or individuals full consideration is given to any credible information available to the Department of State relating to violations of human rights by such entities.”.

(2) in subsection (d)(2)—

(A) in subparagraph (H), by inserting “, including the promotion of good governance and rule of law and the protection of civilians and human rights” before the period at the end;

(B) in subparagraph (I), by striking the period at the end and inserting “or violations of the Geneva Conventions of 1949, including—

“(i) with respect to any unit that receives such support, vetting the unit for violations of human rights;

“(ii) providing human rights training to units receiving such support; and

“(iii) providing for the investigation of allegations of violations of human rights and termination of such support in cases of credible information of such violations.”; and

(C) by adding at the end the following new subparagraph:

“(J) A description of the human rights record of the recipient, including for purposes of section 362 of this title, and any relevant attempts by such recipient to remedy such record.”;

(3) in subsection (i)(3) by adding at the end the following new subparagraph:

“(I) An assessment of how support provided under this section advances United States national security priorities and aligns with other United States Government efforts to address underlying risk factors of terrorism and violent extremism.”; and

(4) by adding at the end the following new subsection:

“(j) PROHIBITION ON USE OF FUNDS.—(1) Except as provided in paragraphs (2) and (3), no funds may be used to provide support to any foreign forces, irregular forces, groups, or individuals if the Secretary of Defense has credible information that the unit has committed a gross violation of human rights.

“(2) The Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition under paragraph (1) if the Secretary determines that the waiver is required by extraordinary circumstances.

“(3) The prohibition under paragraph (1) shall not apply with respect to the foreign forces, irregular forces, groups, or individuals of a country if the Secretary of Defense, after consultation with the Secretary of State, determines that—

“(A) the government of such country has taken all necessary corrective steps; or

“(B) the support is necessary to assist in disaster relief operations or other humanitarian or national security emergencies.”.

SA 4386. Mr. VAN HOLLEN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 572 and insert the following:

SEC. 572. ALLOCATION OF AUTHORITY FOR NOMINATIONS TO THE SERVICE ACADEMIES IN THE EVENT OF THE DEATH, RESIGNATION, OR EXPULSION FROM OFFICE OF A MEMBER OF CONGRESS.

(a) UNITED STATES MILITARY ACADEMY.—

(1) IN GENERAL.—Chapter 753 of title 10, United States Code, is amended by inserting after section 7442 the following new section:

“§7442a. Cadets: nomination in event of death, resignation, or expulsion from office of member of Congress otherwise authorized to nominate

“(a) SENATORS.—In the event a Senator does not submit nominations for cadets for an academic year in accordance with section

7442(a)(3) of this title due to death, resignation from office, or expulsion from office and the date of the swearing-in of the Senator's successor as Senator occurs after the date of the deadline for submittal of nominations for cadets for the academic year, the nominations for cadets otherwise authorized to be made by the Senator pursuant to such section shall be made instead by the other Senator from the State concerned.

“(b) REPRESENTATIVES.—In the event a Representative from a State does not submit nominations for cadets for an academic year in accordance with section 7442(a)(4) of this title due to death, resignation from office, or expulsion from office and the date of the swearing-in of the Representative's successor as Representative occurs after the date of the deadline for submittal of nominations for cadets for the academic year, the nominations for cadets otherwise authorized to be made by the Representative pursuant to such section shall be made instead by the Senators from the State of the congressional district concerned, with such nominations divided equally among such Senators and any remainder going to the senior Senator from the State.

“(c) CONSTRUCTION OF AUTHORITY.—Any nomination for cadets made by a Member pursuant to this section is not a reallocation of a nomination. Such nominations are made in lieu of a Member that does not submit nominations for cadets for an academic year in accordance with section 7442 of this title due to death, resignation from office, or expulsion from office and the date of the swearing-in of the Member's successor occurs after the date of the deadline for submittal of nominations for cadets for the academic year.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 753 of such title is amended by inserting after the item relating to section 7442 the following new item:

“7442a. Cadets: nomination in event of death, resignation, or expulsion from office of member of Congress otherwise authorized to nominate.”.

(b) UNITED STATES NAVAL ACADEMY.—

(1) IN GENERAL.—Chapter 853 of title 10, United States Code, is amended by inserting after section 8454 the following new section:

“§8454a. Midshipmen: nomination in event of death, resignation, or expulsion from office of member of Congress otherwise authorized to nominate

“(a) SENATORS.—In the event a Senator does not submit nominations for midshipmen for an academic year in accordance with section 8454(a)(3) of this title due to death, resignation from office, or expulsion from office and the date of the swearing-in of the Senator's successor as Senator occurs after the date of the deadline for submittal of nominations for midshipmen for the academic year, the nominations for midshipmen otherwise authorized to be made by the Senator pursuant to such section shall be made instead by the other Senator from the State concerned.

“(b) REPRESENTATIVES.—In the event a Representative from a State does not submit nominations for midshipmen for an academic year in accordance with section 8454(a)(4) of this title due to death, resignation from office, or expulsion from office and the date of the swearing-in of the Representative's successor as Representative occurs after the date of the deadline for submittal of nominations for midshipmen for the academic year, the nominations for midshipmen otherwise authorized to be made by the Representative pursuant to such section shall be made instead by the Senators from the State of the congressional district concerned, with such

nominations divided equally among such Senators and any remainder going to the senior Senator from the State.

“(C) CONSTRUCTION OF AUTHORITY.—Any nomination for midshipmen made by a Member pursuant to this section is not a reallocation of a nomination. Such nominations are made in lieu of a Member that does not submit nominations for cadets for an academic year in accordance with section 8454 of this title due to death, resignation from office, or expulsion from office and the date of the swearing-in of the Member's successor occurs after the date of the deadline for submittal of nominations for midshipmen for the academic year.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 853 of such title is amended by inserting after the item relating to section 8454 the following new item:

“8454a. Midshipmen: nomination in event of death, resignation, or expulsion from office of member of Congress otherwise authorized to nominate.”.

(c) AIR FORCE ACADEMY.—

(1) IN GENERAL.—Chapter 953 of title 10, United States Code, is amended by inserting after section 9442 the following new section:

“§9442a. Cadets: nomination in event of death, resignation, or expulsion from office of member of Congress otherwise authorized to nominate

“(a) SENATORS.—In the event a Senator does not submit nominations for cadets for an academic year in accordance with section 9442(a)(3) of this title due to death, resignation from office, or expulsion from office and the date of the swearing-in of the Senator's successor as Senator occurs after the date of the deadline for submittal of nominations for cadets for the academic year, the nominations for cadets otherwise authorized to be made by the Senator pursuant to such section shall be made instead by the other Senator from the State concerned.

“(b) REPRESENTATIVES.—In the event a Representative from a State does not submit nominations for cadets for an academic year in accordance with section 9442(a)(4) of this title due to death, resignation from office, or expulsion from office and the date of the swearing-in of the Representative's successor as Representative occurs after the date of the deadline for submittal of nominations for cadets for the academic year, the nominations for cadets otherwise authorized to be made by the Representative pursuant to such section shall be made instead by the Senators from the State of the congressional district concerned, with such nominations divided equally among such Senators and any remainder going to the senior Senator from the State.

“(c) CONSTRUCTION OF AUTHORITY.—Any nomination for cadets made by a Member pursuant to this section is not a reallocation of a nomination. Such nominations are made in lieu of a Member that does not submit nominations for cadets for an academic year in accordance with section 9442 of this title due to death, resignation from office, or expulsion from office and the date of the swearing-in of the Member's successor occurs after the date of the deadline for submittal of nominations for cadets for the academic year.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 953 of such title is amended by inserting after the item relating to section 9442 the following new item:

“9442a. Cadets: nomination in event of death, resignation, or expulsion from office of member of Congress otherwise authorized to nominate.”.

(d) MERCHANT MARINE ACADEMY.—

(1) IN GENERAL.—Chapter 513 of title 46, United States Code, is amended by inserting after section 51302 the following new section:

“§51302a. Cadets: nomination in event of death, resignation, or expulsion from office of member of Congress otherwise authorized to nominate

“(a) SENATORS.—In the event a Senator does not submit nominations for cadets for an academic year in accordance with section 51302(b)(1) of this title due to death, resignation from office, or expulsion from office and the date of the swearing-in of the Senator's successor as Senator occurs after the date of the deadline for submittal of nominations for cadets for the academic year, the nominations for cadets otherwise authorized to be made by the Senator pursuant to such section shall be made instead by the other Senator from the State concerned.

“(b) REPRESENTATIVES.—In the event a Representative from a State does not submit nominations for cadets for an academic year in accordance with section 51302(b)(2) of this title due to death, resignation from office, or expulsion from office and the date of the swearing-in of the Representative's successor as Representative occurs after the date of the deadline for submittal of nominations for cadets for the academic year, the nominations for cadets otherwise authorized to be made by the Representative pursuant to such section shall be made instead by the Senators from the State of the congressional district concerned, with such nominations divided equally among such Senators and any remainder going to the senior Senator from the State.

“(c) CONSTRUCTION OF AUTHORITY.—Any nomination for cadets made by a Member pursuant to this section is not a reallocation of a nomination. Such nominations are made in lieu of a Member that does not submit nominations for cadets for an academic year in accordance with section 51302 of this title due to death, resignation from office, or expulsion from office and the date of the swearing-in of the Member's successor occurs after the date of the deadline for submittal of nominations for cadets for the academic year.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 513 of such title is amended by inserting after the item relating to section 51302 the following new item:

“51302a. Cadets: nomination in event of death, resignation, or expulsion from office of member of Congress otherwise authorized to nominate.”.

SA 4387. Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XI, insert the following:

SEC. _____. TREATMENT OF HOURS WORKED UNDER A QUALIFIED TRADE-OF-TIME ARRANGEMENT.

Section 5542 of title 5, United States Code, is amended by adding at the end the following:

“(h)(1) Notwithstanding any other provision of this section, any hours worked by a

firefighter under a qualified trade-of-time arrangement shall be disregarded for purposes of any determination relating to eligibility for, or the amount of, any overtime pay under this section.

“(2) For purposes of this subsection—

“(A) the term ‘qualified trade-of-time arrangement’ means an arrangement under which 2 firefighters who are employed by the same agency agree, solely at their option and with the approval of their employing agency, to substitute for one another during scheduled work hours in the performance of work in the same capacity; and

“(B) the term ‘firefighter’ means a firefighter as defined by section 8331(21) or 8401(14).”.

SA 4388. Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XXVIII, add the following:

SEC. 2836. INCREASE IN AMOUNTS AVAILABLE FOR UNSPECIFIED MINOR MILITARY CONSTRUCTION FOR REVITALIZATION AND RECAPITALIZATION OF LABORATORIES.

Section 2805(d) of title 10, United States Code, is amended by striking “\$6,000,000” each place it appears and inserting “\$10,000,000”.

SA 4389. Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. COAST GUARD YARD IMPROVEMENT.

Of the amounts authorized to be appropriated under section 4902(2)(A)(ii) of title 14, United States Code, \$175,000,000 shall be made available for fiscal year 2022 for the Commandant of the Coast Guard to improve facilities at the Coast Guard Yard in Baltimore, Maryland, including dock, dry dock, and capital equipment improvements and dredging necessary to facilitate access to such Coast Guard Yard.

SA 4390. Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title III, add the following: